

DAVIDON HOMES

Magee Preserve

DANVILLE PLANNING COMMISSION

MAY 28, 2019

Overview

- ❖ Summary of Proposed Project
- ❖ History & Background
- ❖ Project Review Framework
- ❖ Evaluation Highlights
- ❖ Q & A

Project Summary

- 410 Acres
- 69 Homes
- Development Areas: 7%
- Permanent Open Space: 93%
- Dedicated easements for public trails



Background: SummerHill Proposal (v.1)

First Submittal:

- **85 units** (October 2010)
 - 64 lots (near entrance)
 - 11 lots (across Fairway)
 - 6 lots (off Diablo)
 - 4 lots (McCauley)



Background: SummerHill Proposal (v.2)

Second Submittal:

- **78 units** (October 2011)
 - 64 lots (near entrance)
 - 5 lots (across Fairway)
 - 6 lots (off Diablo)
 - 3 lots (McCauley)



Background: SummerHill Proposal (v.3)

Final Submittal:

- **69 units** (September 2012)
 - 66 lots (east)
 - 3 lots (west)

Project Approvals:

- Planning Commission (May 2013)
- Town Council (July 2013)



Litigation

California Superior Court (July 2014) and Court of Appeal (September 2015).

Appellate court **upheld the Town's decisions** and all aspects of the EIR **except** on the matter where it ruled that the Town failed to “*adequately investigate bicycle safety and discuss it in the EIR.*”



Davidon Homes Proposal

Nearly Identical

- 69 units (2017)
 - 66 lots (east)
 - 3 lots (west)
- Smaller development area
- More permanent open space



Project Review

GENERAL PLAN AND ZONING CONSISTENCY

Project Review Framework

LAND USE REGULATIONS

General Plan

- Allowable land use (e.g., residential)
- Density and intensity (e.g., 5 units/acre)
- Policy direction (Special Concern Areas)

Zoning Ordinance

- Development regulations (e.g., how buildings relate to their surroundings)
- Must be consistent with General Plan

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA)

- Requires agencies to identify the significant environmental impacts of projects
- Establishes *baseline* conditions
- Determines *project's impacts to baseline* conditions
- Avoid or mitigate those impacts, if feasible

Allowable Land Uses

- Most of property is designated in the General Plan for **Agricultural** and **Residential** land uses
- Agricultural lands are **not** public open space
- Agricultural lands have **development potential**, including single family residential

Upheld by the Court of Appeal

32-37 A-2 GENERAL AGRICULTURAL DISTRICT.

32-37.1 General.

a. *General Provisions.* All of the land lying within an A-2 general agricultural district may be used for any of the following uses, under the following regulations set forth in this section.

32-37.2 Uses.

a. *Uses Permitted.* Uses permitted in the A-2 district shall be as follows:

1. All types of agriculture, including general farming, horticulture, floriculture, nurseries and greenhouses, mushroom rooms, dairying, livestock production, fur farms, poultry raising, animal breeding, aviaries, apiaries, forestry, and similar uses;

2. Other agricultural uses, including the erection of granaries, dehydration plants, hullers, fryers and storage of agricultural products and equipment;

3. A stand not exceeding two hundred (200) square feet for sale of agricultural products grown on the premises. The stand shall be set back at least twenty-five (25') feet from the front property line;

4. A detached single family dwelling on each parcel and the accessory structures and uses normally auxiliary to it;

5. Foster home or family care home operated by a public agency, or by a private agency which has obtained State or local approval (license) for the proposed operation, where not more than six (6) minors reside on the premises with not more than two (2) supervisory persons.

b. *Uses With Land Use Permit.*

1. In an A-2 district, a land use permit may allow the following uses.

2. Allowable uses include those listed in paragraph b. of subsection 32-36.2.

3. Other allowable uses are:

(a) Merchandising of agricultural supplies and services incidental to an agricultural use;

(b) Canneries, wineries, and processing of agricultural products;

(c) Cold storage plants;

(d) Slaughterhouses and stockyards;

4. A detached single family dwelling on each parcel and the accessory structures and uses normally auxiliary to it;

78 residential units

LOT #	LOT A.P. C. NO.
11	27,200
14	25,420
15	11,000
16	24,800
20	28,900
21	22,200
22	13,900
24	24,900
29	23,000
31	22,400
32	28,520
33	29,900
34	12,060
35	12,040
36	20,520
37	10,180
38	16,130
39	15,000
40	14,800
41	25,420
42	33,480
43	26,260
47	38,000
48	31,000

* All other lots have a minimum finished area of 10,000 S.F. with a slope less than 20%.

Gross Acres: 335±
Total No. of Lots: 54

NON-CLUSTERED ALTERNATIVE - MAGEE RANCHES
 DANVILLE, CALIFORNIA

RIA
RUGGERI-JENSEN-AZAR
 ENGINEERS & PLANNERS • SAN JOSE, CA
 1000 NORTH ZEDS, 2ND FLOOR, SAN JOSE, CA 95128
 PHONE: (408) 257-9700 FAX: (408) 257-0200

General Plan Policy Direction

SPECIAL CONCERN AREA: MAGEE RANCH

- Recognizes underlying residential development potential
- Guides specific development of Magee Ranch property
 - Discourages 5-acre ranchettes (minimize grading/visual impacts)
 - Transfer allowable development to the least sensitive areas
 - Establish park/trail connections; preserve open space

Upheld by the Court of Appeal

MAGEE RANCH

The Magee Ranch Special Concern Area encompasses nearly 500 acres along the south side of Diablo Road extending about two miles east from the Green Valley Road/Diablo Road intersection.

Magee Ranch contains some of the most spectacular and unique scenery in Danville, including oak-covered hillsides, ravines and creeks, and pastoral grazing land. As the gateway to Mt. Diablo State Park, Diablo Road itself is an important scenic corridor. Despite the considerable volumes of traffic carried by the two-lane roadway, it retains the flavor of an ambling country road. The Town strongly supports retention of this character and protection of the views and vistas from the road.

The ranch itself includes a variety of settings, ranging from relatively flat pasture near Diablo Road to very steep hillsides and ridgelines. A substantial portion of the Special Concern Area contains slopes exceeding 30 percent. Portions of the ranch are characterized by unstable soils and landslide hazards. The ranch also contains important plant and animal habitat, including extensive stands of valley oak and riparian areas along Green Valley Creek. Development is further constrained by traffic congestion along nearby roads, particularly in the Green Valley Road/Diablo corridor to the west.

The 2010 Plan designates a majority of Magee Ranch, including most of the hillside areas, for agricultural use. Application of the Williamson Act to retain these areas for grazing is strongly supported. Consistent with the Danville 2005 General Plan, nearly half of the site has been designated for rural residential uses, with maximum densities of one unit per five acres. About five acres of the ranch located immediately opposite and south of St. Timothy's Church has been designated for Single Family Residential-Low Density, also consistent with the previous Plan. Development proposals that would increase the overall development potential of the site beyond this level are discouraged. However, proposals which transfer the allowable number of homes to the least sensitive and

obtrusive parts of the site are encouraged. If future General Plan amendments are considered, the parkland development standard applied should be consistent with the directive of the Dougherty Valley Settlement Agreement (i.e., a minimum of 6.5 improved parkland acres per 1,000 residents).

As on the other large undeveloped hillside sites in Danville, protection of scenic slopes and ridgelines is imperative. Despite the A-2 (General Agricultural) zoning on much of the site, subdivision of this Special Concern Area into five-acre "ranchette" sites similar to those in the Tassajara Lane/Sherburne Hills area is strongly discouraged. Such development would require grading and road construction that could substantially diminish the visual qualities of the area. On the other hand, transferring allowable densities to a limited number of areas within the ranch would enable the bulk of the site to be set aside as permanent open space. This would also provide opportunities to establish park and trail connections and to preserve wildlife corridors between this area and the Sycamore Valley Open Space.

TASSAJARA VALLEY

The Tassajara Valley extends along the south side of Camino Tassajara from Lawrence Road east for a distance of about a mile. The area encompasses about 400 acres, most of which is in unincorporated Contra Costa County beyond the Town limits but within its Sphere of Influence. The western edge of the area includes the 44-acre California Meadows project, approved by the County and annexed to the Town in 1998. The eastern edge of the area includes the proposed 165-acre Wendt Ranch development. The intervening lands between California Meadows and Wendt Ranch generally consist of large agricultural parcels, most of which are used for pasture and grazing.

The 2010 Plan designates the area east of California Meadows for agricultural uses, consistent with the current land use designation for the area in the Contra Costa County General Plan. How-

As on the other large undeveloped hillside sites in Danville, protection of scenic slopes and ridgelines is imperative. Despite the A-2 (General Agricultural) zoning on much of the site, subdivision of this Special Concern Area into five-acre "ranchette" sites similar to those in the Tassajara Lane/Sherburne Hills area is strongly discouraged. Such development would require grading and road construction that could substantially diminish the visual qualities of the area. On the other hand, transferring allowable densities to a limited number of areas within the ranch would enable the bulk of the site to be set aside as permanent open space. This would also provide opportunities to establish park and trail connections and to preserve wildlife corridors between this area and the Sycamore Valley Open Space.

P-1; Planned Unit Development

- Only **land use mechanism** available to transfer allowable development
- Mechanism used to **protect ridgelines** and **secure permanent open space** throughout the Sycamore Valley, examples:
 - Magee Ranch (existing)
 - Anderson Ranch
 - Diablo Highlands
 - Hidden Valley
 - Northridge
 - Northridge Estates

Upheld by the Court of Appeal





P-1; Planned Unit District

USED THROUGHOUT SYCAMORE VALLEY TO CLUSTER DEVELOPMENT,
PROTECT RIDGELINES, AND SECURE PERMANENT OPEN SPACE

Environmental Review

REVISED ENVIRONMENTAL IMPACT REPORT

Revised Environmental Impact Report

Trial and appellate courts **upheld** all aspects of the 2013 EIR except for claim related to bike safety.

Direction of court is to “***adequately investigate bicycle safety and discuss it in the EIR.***”

As part of process, Revised EIR also:

- Updated traffic counts and traffic analysis
- Other components to reflect clarity provided by recent case law



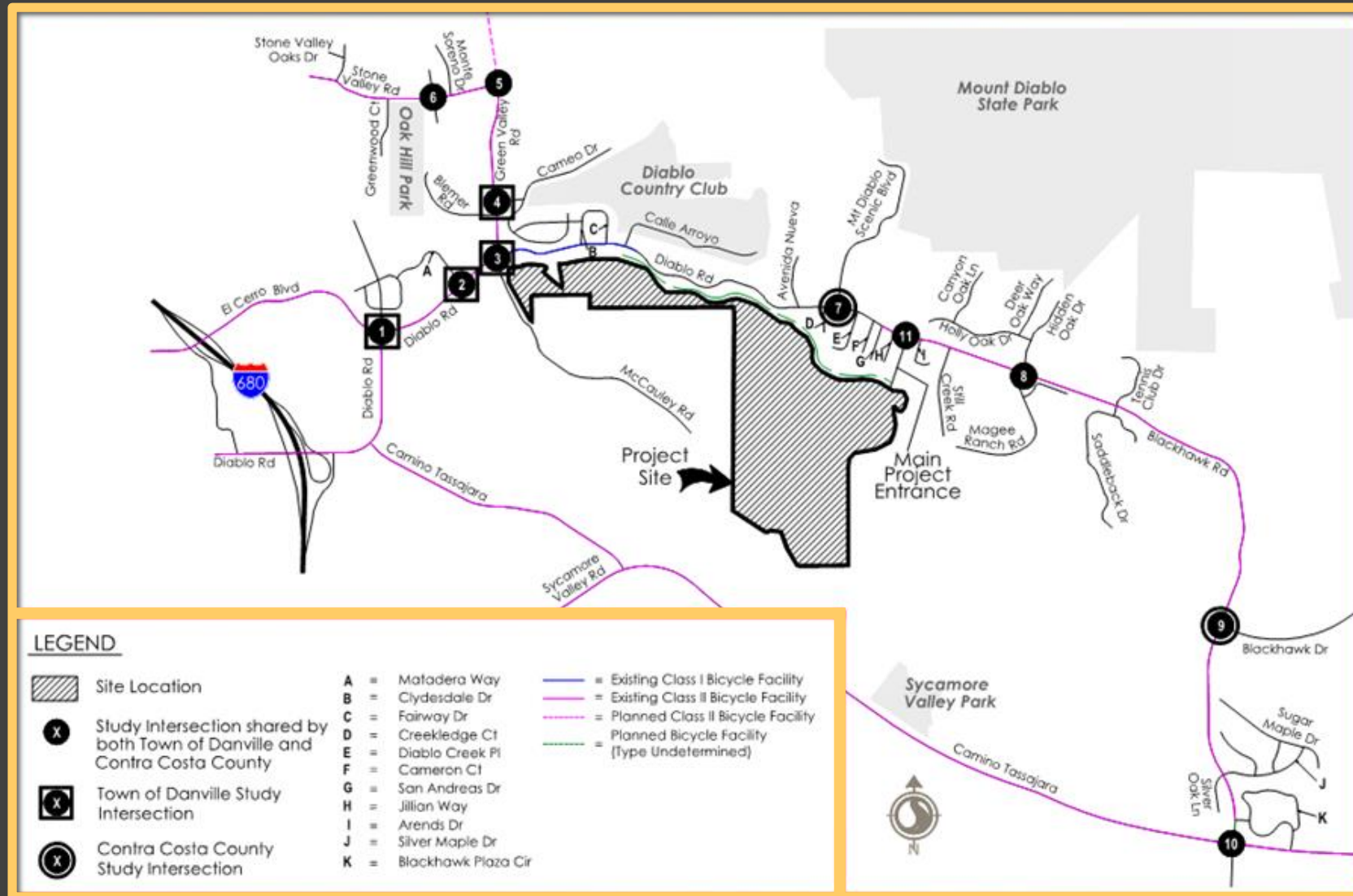
Transportation Impact Analysis

Analysis Studied

- 10 Study Intersections
- 4 Traffic Scenarios
- 3 Peak Periods
- Used the more conservative "Danville" Trip Generation Rate

Evaluation Standards :

- 2030 General Plan - Acceptable LOS standard of "D"
- Threshold of Significance: >5% change in V/C for intersections currently operating unacceptably



Transportation Impact Analysis

VEHICLE LEVEL OF SERVICE

- Project impacts less than significant on all intersections **except** for *Mt. Diablo Scenic/Blackhawk Road*
- Additional Analysis - Intersection Control Evaluation ("ICE")
 - Traffic Signal and Roundabout
 - Traffic Signal most effect in reducing congestion
 - No upstream/downstream intersection impacts
 - 100% funded by Developer



EXISTING CONDITIONS

- AM PEAK: LOS "E"
- SCHOOL PM PEAK: LOS "F"

EXISTING + PROJECT CONDITIONS

- UNACCEPTABLE: >5% V/C

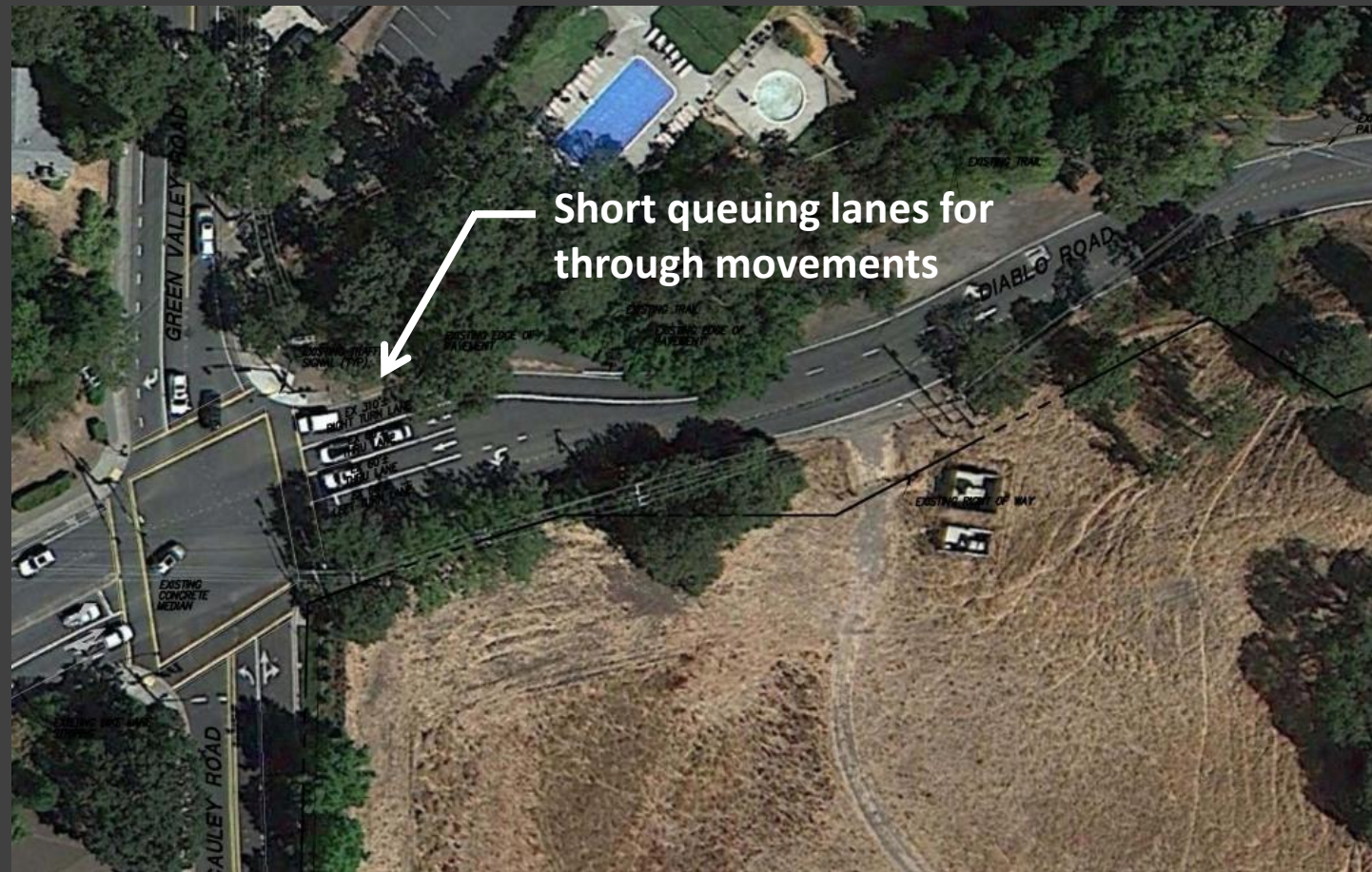
MITIGATION MEASURE

- **TRAFFIC SIGNAL**
- **LOS "A" and "B"**
- **86 – 96% DELAY REDUCTION**

Diablo/Green Valley (existing)

Existing Conditions

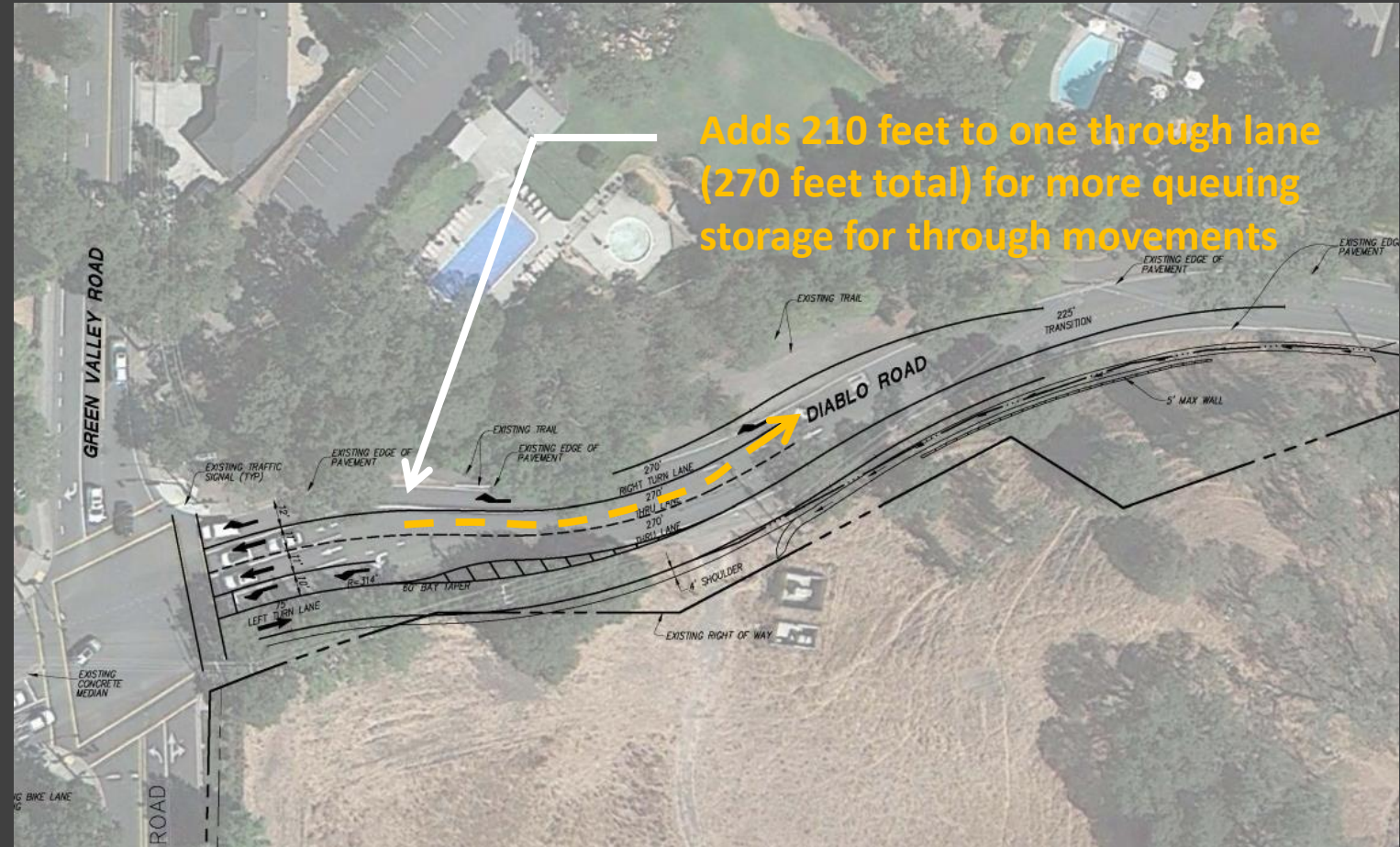
- Operates at LOS “D” in AM peak, LOS “E” in future
- Short (@60 LF) WB thru lanes creates capacity constraints during AM and School PM peak hours
- Restricts access to WB Left Turn Lane



Diablo/Green Valley (proposed)

Project Contribution (not required mitigation)

- Adds 210 feet WB through lane capacity
- Enhances intersection efficiency for vehicles
- Enhances safety for pedestrians and bicycles at intersection



Transportation Impact Study

BICYCLE SAFETY ANALYSIS

Selecting a Methodology

1. Prescribed in *CCTA Technical Procedures (2013)*, the governing the preparation of transportation impact analyses in Contra Costa
2. Quantifies **baseline conditions** and **project's impacts** on the established baseline conditions
3. Nationally recognized; **backed by research and testing** of the Transportation Research Board (reflects 2,500+ miles of evaluated roads across North America)

Transportation Impact Study

BICYCLE LEVEL OF SERVICE (BLOS)

A measurement of roadway factors affecting bicycle safety, including:

- Lane and should widths
- Vehicle volumes and speeds (during peak bicycle periods)
- Heavy vehicle (truck) percentage
- Pavement condition
- Access point density (number of intersecting side streets)



SCENARIO: **EXISTING PLUS PROJECT**

- No changes in BLOS letter grades for all periods and segments
- Less than 1% change in BLOS score under all periods and scenarios
- Conclusion: No Significant Project Impacts to Bicycle Safety

SCENARIO: **CUMULATIVE PLUS PROJECT**

- No changes in BLOS letter grades for all periods and segments
- **Less than 1% change** in BLOS score under all periods and scenarios
- Conclusion: No Significant Project Impacts to Bicycle Safety

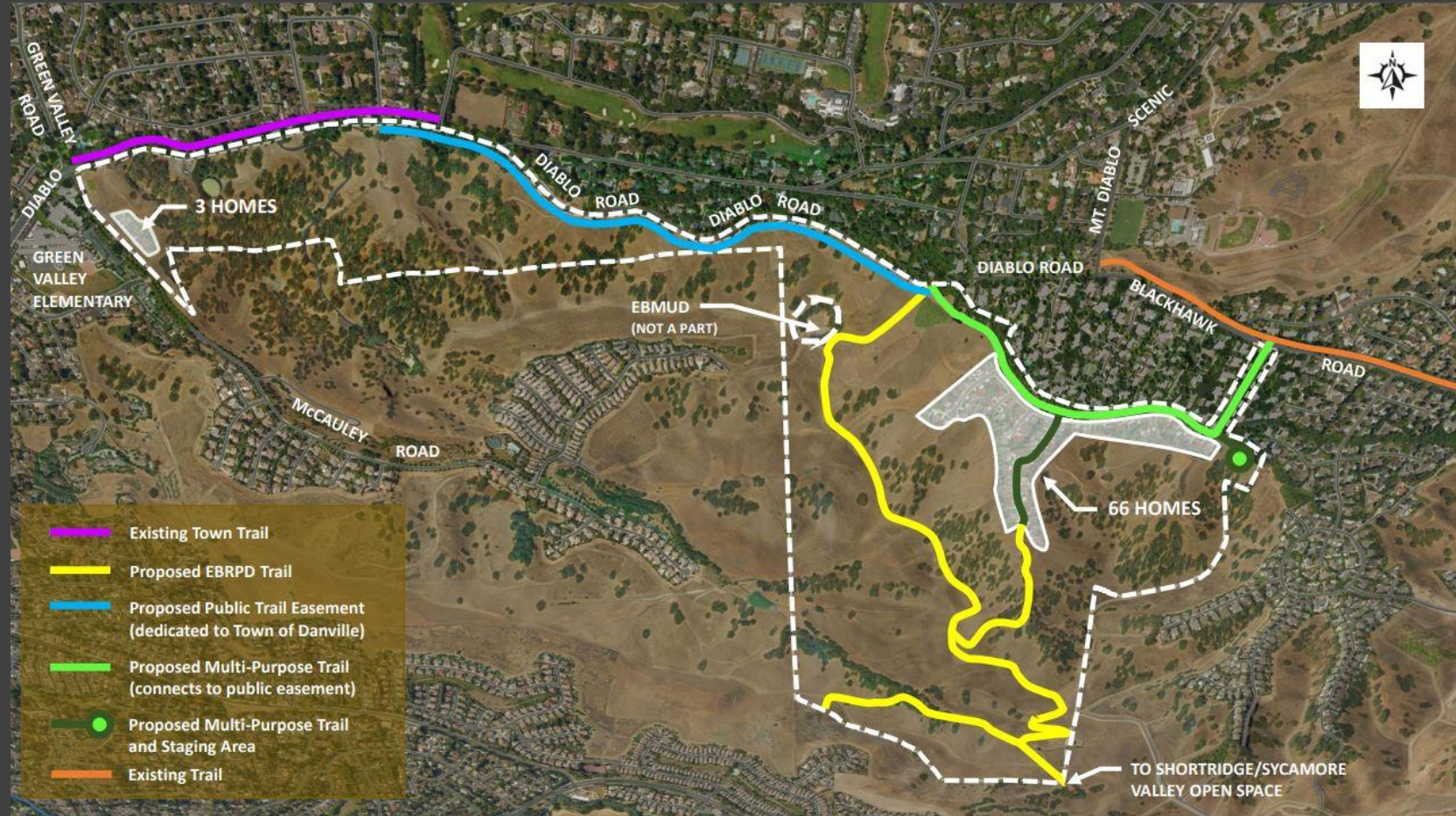
Trail Gap Closures

Project Trail

- Paved multi-purpose trail (green segment)

Public Dedications

- Pedestrian access easements (yellow segments)
- Future multi-purpose trail easement (blue segment)



Hydrology

SUMMARY OF FINDINGS

- Consistent with state and federal laws
- All runoff collected and conveyed to a new detention pond
- No increase to existing peak flows to Green Valley Creek

Summary & Recommendation

- ❖ General Plan and zoning consistency
- ❖ Updated environmental analysis
- ❖ Public benefits

Questions?
